

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY,  
OCTOBER 5, 2009 AT 6:00 P.M. IN THE CHAMBERS OF TOWN HALL, LOCATED  
AT 775 N. MAIN STREET, FLORENCE, ARIZONA**

**CALL TO ORDER**

Mayor Kilvinger called the meeting to order at 6:05 p.m.

**ROLL CALL:**

Present: Kilvinger, Smith, Woolridge, Celaya, Raasch, Hawkins, Brown.

**PLEDGE OF ALLEGIANCE**

Councilmember Woolridge led the Pledge of Allegiance.

**CALL TO THE PUBLIC**

**Call to the Public for Public Comment on items that appear on the October 5, 2009  
Town Council Agenda.**

There were no public comments.

**PUBLIC HEARINGS AND PRESENTATIONS**

**Proclamation declaring the month of October 2009 as National Community  
Planning Month in the Town of Florence.**

Mayor Kilvinger proclaimed the month of October 2009 as National Community Planning Month in the Town of Florence. Mayor Kilvinger presented the proclamation to Mark Thompson and Gilbert Olgin, members of the Town Planning Department.

**Presentation regarding San Tan Valley by Pinal County Board of Supervisor  
Bryan Martyn.**

Supervisor Bryan Martyn stated that San Tan Valley has not been renamed; but rather, given a name. He said San Tan Valley is approximately 57 square miles. It encompasses Johnson Ranch, Pecan Creek, and other communities which share the Queen Creek identifier in the post office (postal code). He discussed the background as to why San Tan Valley needed its own identity. The postal code identifier was counting against the Town of Queen Creek in a variety of ways including the foreclosure rates. He explained how realtors would take the number of foreclosures that came up within the zip codes that are under Queen Creek and compare it to the Town of Queen Creek's population. He said the Town of Queen Creek was leading the nation in foreclosures per capita. He said people were unable to identify the San Tan Valley area. It was determined that San Tan Valley needed its own identity and it needed to be separated from the Town of Queen Creek. He met with Queen Creek staff to discuss the western border and with Florence staff to discuss the eastern border. He

explained the borders and how they represent the economic development corridor and not a municipal government. He said that Magic Ranch is included in the San Tan Valley development area.

Supervisor Martyn said that after negotiations with Himanshu Patel, Town Manager, it was agreed upon that a portion of the Magma rail intersection would be removed from the San Tan Valley and would allow Florence to retain the north side of the rail.

Mr. Martyn stated that San Tan Valley has 80,000 citizens. It is the largest community in Pinal County. The northern border is Germann Road. Everything north of Germann Road is State land. He said 911 services recognize Magic Ranch as both San Tan Valley and the Town of Florence. He added that the transition will be a slow process.

Councilmember Raasch stated that he was under the impression that Arizona Farms Road would be the Town of Florence boundary. Although that may not be staff opinion he feels strongly on the boundary.

Supervisor Martyn agreed that the border should be Arizona Farms Road. It is his understanding that Florence is not interested in annexing the small island south of Arizona Farms Road. He said that the area needs to belong to a community.

Councilmember Brown stated that she would like to see Magic Ranch included in the Town of Florence. She would like more information provided before making a decision.

Supervisor Martyn stated ultimately there is a financial loss when incorporating residential properties. The San Tan Valley area has many rooftops with little commercial opportunity. Accepting a community of 2,000 to 3,000 homes may not be in the best interest of Florence. He said the community may decide not to incorporate; and they could end up a county island. Supervisor Martyn stated that the border is not set in stone. The community is studying incorporation and the item is anticipated to be on the ballot in November 2010.

Mayor Kilvinger asked about a timeline to be on the November 2010 ballot.

Supervisor Martyn stated that the community is working on the timeline to be placed on the November 2010 ballot. He said the lines on the map give the community identity. His goal is to give the community facts. He is working with the City of Maricopa who has recently gone through the process. In the long term, the area will have to incorporate. The County does not have the tools to take care of the long term community needs. He said the community needs to govern themselves and it can only be achieved if the citizens decide on incorporation.

Vice-Mayor Smith stated that once an area is incorporated, the County still receives a percentage of the property tax. That is something that needs to be looked at more closely.

Supervisor Martyn answered that the County still provides services. The current tax structure is as it is. He added that there is a \$5 million debt service for a road that services the community of San Tan Valley.

Councilmember Brown asked for Magic Ranch's population.

Supervisor Martyn estimated that there are approximately 3,000 residents.

Mr. Himanshu Patel, Town Manager, shared staff's perspective on San Tan Valley. He said that staff met with Supervisor Martyn on Florence's planning area, its general plan area and land uses. Discussions occurred regarding the unincorporated areas of Pinal County. In 2000, Florence had a public meeting inviting the residents of Magic Ranch along with the Council members, in which they were provided with an overview regarding Florence and the pros and cons of an annexation. Feedback was received in favor, against, and to be left alone, regarding an annexation. Florence is attempting to annex Arizona Farms and Dobson Farms areas up to Judd Road. He discussed how the agreements have to be honored when a Town incorporates a community. Mr. Patel stated that if a committee is formed to incorporate, they will need to discuss the issues with the Council and the Council will be asked to act on a resolution.

Councilmember Brown asked who will sit on the committee once it is formed.

Supervisor Martyn stated the committee will be comprised of citizens from the community, but it will not preclude negotiations with council members, staff, and public input. He discussed where the downtown area will be and said the school districts will not be affected by the boundaries.

**Public Hearing on Resolution No. 1207-09: A RESOLUTION PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION (Home Rule Option).**

Himanshu Patel, Town Manager, read Resolution No. 1207-09 by title only.

**A RESOLUTION PROPOSING AN EXTENSION OF THE ALTERNATIVE EXPENDITURE LIMITATION (Home Rule Option).**

Mr. Patel gave a brief overview of the Alternative Expenditure Limitation. He said the constitution was amended in 1979 establishing a system of expenditure limitation for all cities and towns in Arizona. Since its inception, the Town of Florence had a Home Rule option in which the voter has to approve an alternative expenditure limitation. He said that voters must approve the option every four years. He said the Town must hold two public hearings. The first public hearing is October 5, 2009 and the next will be October 19, 2009. He said the next step is for Council to act on the resolution to take necessary action to place the measure on the ballot for March 2010. He said the expenditure limitation is controlled by the State and does not include the following expenditures:

- Bond proceeds
- Debt Service
- Long term debts
- Interest income
- Grants
- Certain revenues provided by the State
- Intergovernmental and interdepartmental transfers
- HURF Revenues that are in excess of 1997-98 Fiscal Year
- Other contracts that have expenditures with other political subdivisions

Mr. Patel gave an overview on how the State Imposed Expenditure Limitation is calculated and projections on the figures for the next four years, as well as other estimates. He went over the differences that have occurred since 1979 and why the Town has selected to be under a Home Rule Option. They are:

- Grown in department and personnel
- Developed facilities
- Transitioned from volunteer to full-time department
- Capital projects (i.e. roads, water, wastewater, sanitation)
- Town itself has grown to approximately 60 square miles

Mr. Patel discussed the comparison between the State Imposed Expenditure Limitation vs. Home Rule estimates and explained if the Town of Florence used the State Imposed Expenditure Limitation it would need to reduce the budget by \$26.2 million dollars in expenditures. He said that all the services that are offered will be affected. He said the Town is prohibited by law to expend any public funds or resources to influence the outcome of the election. The Town is also prohibited from sponsoring any type of argument for the publicity pamphlet. He said that in 2006, via Resolution No. 981-06, the voters adopted the Expenditure Limitation allowing for the Town to be under the Home Rule option for four years.

Mr. Patel went over the budget amounts started in FY 2004 and stated that the Town has come under-budget each year. He said that the Town is very conservative and is fiscally responsible on how the Town spends public dollars.

Mayor Kilvinger opened the public hearing.

Mr. Tom Rankin stated that he will ask the public to support the Home Rule Option. He complimented the staff on how they govern the finances of the Town.

Ms. Lina Austin, Chamber of Commerce, stated that she supports the Home Rule Option and would like to offer its support on the Home Rule Option.

Mayor Kilvinger closed the public hearing.



**CONSENT: All items indicated by an (\*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.**

- a. **\*Authorization to enter into a Groundwater Savings Agreement with the Pinal County Water Augmentation Authority and the Maricopa-Stanfield Irrigation & Drainage District.**
- b. **\*Authorization to enter into a Memorandum of Understanding with Corrections Corporation of America/Florence Correctional Center for Police Services.**
- c. **\*Authorization to enter into a Memorandum of Understanding with Corrections Corporation of America/Florence Correctional Center for Fire Services.**
- d. **\*Approval of the minutes of the September 8, 2009 and September 21, 2009 Town Council meetings.**
- e. **\*Receive and file the following board and commission minutes:**
  - i. **September 24, 2008 and July 29, 2009 Historic District Advisory Commission minutes.**
  - ii. **August 12, 2008 Planning and Zoning Commission minutes.**

On motion of Vice-Mayor Smith, seconded by Councilmember Raasch and carried to adopt the consent agenda as written.

## **NEW BUSINESS**

**Discussion/Approval/Disapproval of entering into a Grant-in-Aid Agreement with the Tohono O'odham Nation to receive a grant for a Police motorcycle.**

Mr. Robert Ingulli, Police Chief, stated that the grant will fund a fully-equipped police motorcycle, two years of maintenance, and accessories that the rider of the motorcycle will need.

On motion of Vice-Mayor Smith, seconded by Councilmember Brown, and carried to enter into a Grant-In-Aid Agreement with the Tohono O'odham Nation.

**CALL TO THE PUBLIC/COUNCIL RESPONSE: Call to the Public for Public Comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Council Members may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.**

Vice-Mayor Smith discussed the upcoming Jr. Parada. He said that the Posse, the Town and the Pinal County Historical Society Museum have worked very hard on the Jr. Parada parade. He said they worked hard to raise funds. The Town has purchased blue hats to help raise funds. The Town will be reimbursed their cost and the profit will be used for the parade. He said the hats can be purchased at various locations throughout Town.

Ms. Marie Cundiff, FASA Coalition Chairman, invited everyone to the next meeting on October 21, 2009. She thanked the Council for their support and thanked the Council members who have attended prior meetings. She thanked Mr. Patel for the donated maps. She said that FASA will be joining the Pinal County Attorney's Office for the Drug Turn In at the Multi-Cultural Festival on October 17, 2009. Ms. Cundiff provided three articles regarding graffiti abatement for the Council's review and consideration.

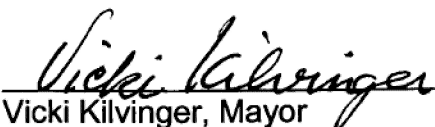
### **CALL TO THE COUNCIL**

Councilmember Brown stated that she attended a seminar on domestic violence and Florence is the only town in our area which does not have a safe house. She said the weekly police reports show an increase in domestic violence and she would like someone to look into the possibility of Florence having a safe house.

Mayor Kilvinger wished Ms. Becki Guilin, Finance Director, well wishes and a speedy recovery. She thanked everyone for attending the meeting.

### **ADJOURNMENT**

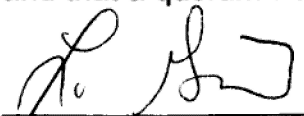
Mayor Kilvinger adjourned the meeting at 7:35 p.m.

  
Vicki Kilvinger, Mayor

ATTEST:

  
Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on October 5, 2009, and that the meeting was duly called to order and that a quorum was present.

  
Lisa Garcia, Town Clerk